

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

115438-350

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____

Signature _____

Typed or printed name _____

In re Application of
Mark David Siegel et al.

Application Number
10/042,844

Filed
November 19, 2001

For electric gaming device using coded ...

Art Unit
3714

Examiner
Corbett B. Coburn

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-1818. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 48,250

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____


Signature

MacLane C. Key
Typed or printed name

202.955.6855
Telephone number

September 5, 2007
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Siegel, Mark David et al.
Appl. No.: 10/042,844
Conf. No.: 4461
Filed: November 19, 2001
Title: ELECTRONIC GAMING DEVICE USING CODED INPUT DATA
Art Unit: 3714
Examiner: Coburn, Corbett B.
Docket No.: 115438-350
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Applicants hereby appeal the Examiner's final rejection of Claims 1-17 and 23-46 (all pending claims) in the above identified application, issued on March 5, 2007 and the advisory action issued on August 15, 2007. Because at least one claim has been twice rejected, appeal is properly made in accordance with 37 C.F.R. 41.31. Claims 45 and 46 were rejected under 35 U.S.C. §112, first paragraph, and Claims 1-17 and 23-44 were rejected under 35 U.S.C. §103(a). The time for response to the Final Office Action of March 5, 2007 was extended to August 5, 2007 by a Petition for a Two (2) Month Extension of Time and the appropriate fee submitted with a response to the Final Office Action on August 3, 2007. A Petition for a Third (3) Month Extension of Time is submitted herewith, extending the time for response to September 5, 2007. Therefore, this appeal is timely made under 37 C.F.R. 41.31(a)(1) and (d). The Commissioner is hereby authorized to charge deposit account 02-1818 for the \$500.00 Notice of Appeal Fee for a large entity and for any additional fees which are due and owing.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

MacLane C. Key
Reg. No. 48,250
Cust. No. 29180

Dated: September 5, 2007